

Remarks

The present response is to the Office Action mailed in the above-referenced case on July 01, 2004. Claims 1-18 are presented below for examination. The Examiner rejects claims 1-18 under 35 U.S.C. 103(a) as being unpatentable over Logue in view of Davis (US 5,796,952) hereinafter Davis.

Applicant has carefully studied the references and the Examiner's statements in the Response to Arguments section of the instant Office Action. In response, applicant points out and argues the key and patentable aspects of applicant's invention, which will clearly demonstrate that the references of Logue and Davis fail to teach or suggest all of the claimed limitations of applicant's invention. Claim 10 is herein amended as required by the Examiner.

Applicant's independent claims 1 and 13 specifically recite monitoring by the proxy server connected to the data-packet network, user access and post-access online user activity and transactions associated with interactive use with the proxy services. The Examiner admits that Logue fails to teach the continued monitoring of post-access online user activity and transactions. The Examiner relies on the art of Davis to teach said limitation.

Applicant argues that both Logue and Davis fail to monitor post-access user activity via a proxy server. Logue merely teaches receiving requests for specific documents and logging those requests and making them available to various servers. Actually, Logue does not actively monitor user access at all. Logue creates a log entry when a server successfully sends a requested document resulting from an order from a user. The access to the proxy from individual users is not monitored, only the specific action of receiving a request or delivering a document. Information regarding users, or other user activity on the proxy is not a concern of Logue (Col.8, lines 45-55).

Applicant argues that Davis embeds the tracking software in a user downloaded document and is limited to tracking the user activity, at the user premises, of that document or Web site only. Davis fails to teach monitoring post access from a proxy server as claimed.

Further, applicant argues that because Logue teaches a Web TV system wherein only hit information is valuable. The motivation to combine with Davis is not valid. Logue does not suggest any monitoring activity of users for any reason. Further, technically, Davis does not monitor on a data-packet network as claimed because the software is downloaded to the users computer and only activity of the user's hardware, and information *after* it is downloaded is monitored.

In view of applicant's arguments made herein, applicant believes that the limitations in applicant's independent claims pertaining to monitoring the user interaction with the proxy services clearly and unarguably distinguish over the teachings provided by Logue and Davis.

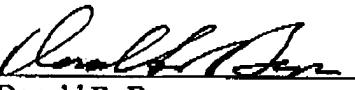
Applicant's invention monitors the user's online interaction activity after initial access, and automatically collects the user activity data either directly from the proxy server or through proxy services. The collected data reflects user activity, request or transaction history, data requested by the user, and other online behavior associated with the plurality of proxy services. Applicant believes that the art of Logue and Davies fall short of teaching or suggesting applicant's claimed invention as is now specifically and clearly recited in the independent claims. Therefore, claims 1 and 13 are patentable over the art of Logue and Davies. Claims 2-12 and 14-18 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims argued above have been clearly shown to be patentable over the prior art presented by the Examiner, applicant respectfully requests that the rejection be withdrawn, and that the case be passed quickly to issue. If any fees are due beyond fees paid with this amendment, authorization is made to

-7-

deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully submitted,
Jaideep Srivastava et al.

by 
Donald R. Boys
Reg. No. 35,074

Donald R. Boys
Central Coast Patent Agency
P.O. Box 187
Aromas, CA 95004
(831) 726-1457